



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 08-104

November 26, 2008

Investigation by the Department of Public Utilities on its own Motion commencing a rulemaking pursuant to 220 C.M.R. § 2.00 et seq. revising 220 C.M.R. § 14.00 and 220 C.M.R. § 25.00.

On November 18, 2008, the Department of Public Utilities ("Department"), issued an Order adopting emergency regulations amending 220 C.M.R. § 14.00, The Unbundling of Services Related to the Provision of Natural Gas, and 220 C.M.R. § 25.00, Billing and Termination Procedures of the Department of Public Utilities.

The Department's emergency regulations amend 220 C.M.R. § 14.03(2A)(b) by broadening the eligibility for the low-income discount rate for natural gas to customers whose incomes are within 60 percent of the state median income.

The Department's emergency regulations amend 220 C.M.R. § 25.03 to allow additional protections for customers from termination of utility service. The amendments to 220 C.M.R. § 25.03(1) protect from service termination households with a financial hardship in which a) an infant under the age of 12 months resides or b) all adult resident are 65 years of age or older and minor children live in the household. In addition, the amendments to 220 C.M.R. § 25.03(2) allow nurse practitioners and physician assistants to certify the serious illness of a customer so that the customer may obtain protection from service termination. Finally, the amendments to 220 C.M.R. § 25.03(4) allow customers with a serious illness to renew the certification of the illness quarterly, and customers with a serious chronic illness to renew the certification semi-annually. A copy of the Department's Order and regulations may be viewed at the Department's offices at the South Station address listed below. In addition, the Department has posted a copy of the Order and emergency regulations on its website, <http://www.mass.gov/dpu>.

To provide opportunity for comment, and pursuant to G.L. c. 30A, § 2, and 220 C.M.R. § 2.05, the Department will hold a public hearing on Tuesday, December 30, 2008, at 10:00 a.m., at the Department's offices, One South Station, Boston, Massachusetts. Interested persons may present facts, opinions, or arguments relating to the emergency regulations at the

public hearing. The Department seeks initial written comments prior to the public hearing, but no later than 5:00 p.m. on Monday, December 29, 2008. Initial written comments should be limited in length to a maximum of ten one-sided, double-spaced typewritten pages. All written comments should be filed with Mary L. Cottrell, Secretary, Department of Public Utilities, One South Station, 2nd Floor, Boston, Massachusetts 02110.

All documents should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and kate.mckeever@state.ma.us or (2) on a 3.5" disk or CD-ROM. The text of the e-mail, disk label, or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 08-104), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and telephone number of a person to contact in the event of questions about the filing. Text responses should be created in either Corel WordPerfect, Microsoft Word, or Adobe Acrobat (version 7 or higher). Data or spreadsheet responses should be compatible with Microsoft Excel (version 2000). The Department strongly encourages filers to avoid submitting scanned files but will accept them for posting when an alternative version does not exist in electronic format. In addition, if the petitioner, applicant, or any other participant has already filed a document relevant to this proceeding, such as the initial petition, application, or filing, without providing an electronic copy of that document, such entity is directed to do so in compliance with the above electronic filing requirements as soon as practicable. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

By Order of the Department,

/s/

MARY L. COTTRELL, SECRETARY